

REMARKS

Claims 1, 3, 4 and 5 are in the application, claim 2 has been canceled.

Claim 1 has been amended to set forth that the clutch (5) is strictly mechanical, that the sensor (7) is evaluated by the microcontroller, and that the transmission of forces are served over the force transfer path.

The applicants point out that a particularly significant feature of the claims is that the motor control electronics in combination with the sensor connected within and to the housing and to the motor control electronics provide control of the electric motor and when this possibility of an excessively high twisting of the housing is detected via the motor control electronics, an actively rapid braking of the motor is effected by a strictly mechanical rpm-dependent clutch. As a result of the braking action when the rpm of the clutch is not attained, the clutch serves for the termination of force.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as unpatentable over Guzzella (5,584,679) in view of Steffen (6,123,158) in further view of Moolenaar et al. (5,385,572).

GUZZELLA – 5,584,675

The Guzzella patent discloses a method and arrangement for preventing accidents during operation of a manually-operated machine tool with a rotatable toolbit.

The comments regarding Guzzella in the amendment after final rejection in the amendment filed February 3, 2004 are incorporated herein by references.

As is pointed out in the applicant's specification at page 3 the omission of the electro-mechanical clutch results in the reduction of the weight of the apparatus with a lowering of the manufacturing costs. There is nothing in Guzzella suggesting such a solution.

Guzzella does not disclose a strictly mechanical rpm-dependent clutch, it only mentioned an electromagnetic coupling, note column 4, line 20 and lines 59-62. The differences over Guzzella are the brush-less motor and the rpm-dependent clutch. Both of these features are necessary because the brush-less motor "can rapidly be braked over motor control electronics", page 3, lines 13-15, to rapidly lower the rpm, page 4, lines 15, 20, and the rpm dependent clutch is able to interrupt the force transfer path by itself based on the lowered rpm, page 5, lines 1-2. Thus an electromagnetic coupling is unnecessary.

The comments referring to Steffen in the amendment after final rejection dated February 3, 2004 are incorporated herein and do not provide any basis for the rejection of the claims as amended.

The combination of Guzzella and Steffen along with Moolenaar et al affords no suggestion of the features in applicants claims as amended, accordingly it is respectfully submitted that the claims are allowable and a favorable action is solicited.

Respectfully submitted,

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